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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/400,296	09/21/1999	JOHN S. HENDRICKS	026880.00018	3284

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EXAMINER	
DADA, BEEMNET W	

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/400,296	HENDRICKS ET AL.	
	Examiner	Art Unit	
	Beemnet W. Dada	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 October 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-18,21-144 and 148-189* is/are pending in the application.

4a) Of the above claim(s) *130-143* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-18,21-129 and 148-189* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in reply to an amendment filed on October 07, 2005. Claims 1, 20-22, 144 and 148 have been amended, claims 2, 19, 145-147 have been cancelled. Claims 1, 3-18, 21-144 and 148-189 are pending.

Claim Objections

2. Claims 3-18 and 25-27 are objected to because of the following informalities: Claims 3-18 and 25-27 depend on a cancelled claim 2. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 3-15, 20-30, 35-53, 64-77, 80, 86-95, 97-102, 104, 105, 108-111, 113-114, 117-129, 144, 149-163, 167-176 and 179-189 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sprague et al. US Patent 5,247,575 (hereinafter Sprague) in view of Everhart et al. US Patent 4,578,531 (hereinafter Everhart).

5. As per claims 1, 22-27, 35-45, 86-95, 97, 98, 104-105,108-111 and 117-129, 144, 150-154, 167-176, 179, 186-189, Sprague teaches a method for encrypting electronic books (see for example, news magazines, newspaper reports, col. 9, lines 17-32), comprising:

supplying an electronic book to be encrypted, supplying an encryption key and encrypting the electronic book using the encryption key (i.e., encrypting information resources, such as news magazines, newspaper reports, see for example column 9, lines 30-32, column 14, lines 30-49, column 21, lines 49-57 and column 23, lines 19-45);

supplying the encrypted electronic book, supplying a decryption key and

decrypting the encrypted electronic book using the decryption key (decrypting the information resources, see for example column 13, lines 37-41, column 6, lines 58-63, column 15, lines 22-47 and column 16, lines 24-37). Sprague further teaches encryption and decryption key are a symmetric key, further including generating the key encrypting the electronic book with the key, transmitting the encrypted electronic book to a receiver and decrypting the electronic book using the same key [see for example, column 15, lines 23-47], further including encrypting the encryption key [see for example, column 11, lines 9-26], and further including encrypting the electronic book using a DES method [see for example, column 14, lines 42-48]. Sprague further teaches transmitting book data to multiple users [see figure 1]. Sprague teaches encrypting information resources, such as news magazines, newspaper reports, see for example column 9, lines 30-32, column 14, lines 30-49, column 21, lines 49-57 and column 23, lines 19-45), decrypting the information resources, see for example column 13, lines 37-41, column 6, lines 58-63, column 15, lines 22-47 and column 16, lines 24-37), further teaches encryption and decryption key are a symmetric key [see for example, column 15, lines 23-47]. Sprague is silent on distributing the encryption/decryption key from a third party distribution system. Everhart teaches key distribution system wherein a central key distribution center distributes encryption/decryption keys to data sending and receiving sides [see for example abstract and column 4, lines 1-29]. Both Sprague and Everhart teach encryption/decryption of data as well as key distribution methods. It would have been

obvious to one having ordinary skill in the art at the time the invention was made to employ the teachings of Everhart within the system of Sprague in order to allow efficient method of key distribution.

6. As per claims 3-5, 28-30, 99 Sprague further teaches the encryption/decryption key is generated based on random number [see for example, column 15, lines 23-47].

7. As per claim 6, 100, 149 Sprague further teaches retrieving the symmetric key from a key storage memory [see for example, column 21, lines 49-57].

8. As per claims 7-15, 20, 21, 101 and 102, Sprague further teaches Sprague teaches encrypting information resources, such as news magazines, newspaper reports, see for example column 9, lines 30-32, column 14, lines 30-49, column 21, lines 49-57 and column 23, lines 19-45), decrypting the information resources, see for example column 13, lines 37-41, column 6, lines 58-63, column 15, lines 22-47 and column 16, lines 24-37), further teaches encryption and decryption key are a symmetric key [see for example, column 15, lines 23-47]. Furthermore, Everhart teaches key distribution system wherein a central key distribution center distributes encryption/decryption keys to data sending and receiving sides [see abstract].

9. As per claims 46-53, 113-114 Sprague further teaches transmitting the electronic book to a home system, the home system comprising a library and a viewer [see figure 1], further including encrypting the electronic book using and encryption key, transmitting the encrypted electronic book to a receiver and decrypting the electronic book using the

same key [see for example, column 15, lines 23-47], further including encrypting the encryption key [see for example, column 11, lines 9-26].

10. As per claims 64-77 and 80, 155-162, 163, 180-185, Sprague further teaches creating a non-secure metadata header for the electronic book creating a secure metadata header for the electronic book, wherein the secure metadata header includes one or more of an electronic book identifier, the decryption key, a decryption algorithm, a number of copies of the electronic book that are allowed to be derived from an original electronic book file, distribution and fair use features and integrity checking information; and packaging the non-secure and the secure headers with the electronic book to create an electronic book distribution file [see for example column 21, line 57-column 22 line 31].

11. Claim 16-18, 31-34, 103, 106-107, 112, 148 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sprague et al. US Patent 5,247,575 in view of Everhart et al. US Patent 4,578,531 (hereinafter Everhart) as applied above and further in view of Rivest et al. US Patent 4,405,829 (hereinafter Rivest).

12. As per claims 16-18, 31-34, 103, 106-107, 112, 148, Sprague teaches encrypting information resources, such as news magazines, newspaper reports, see for example column 9, lines 30-32, column 14, lines 30-49, column 21, lines 49-57 and column 23, lines 19-45), decrypting the information resources, see for example column 13, lines 37-41, column 6, lines 58-63, column 15, lines 22-47 and column 16, lines 24-37), further teaches encryption and decryption key are a symmetric key [see for example, column 15, lines 23-47]. Sprague is silent on the system wherein the encryption and decryption

key are asymmetric. However it is old and well known to use asymmetric encryption/decryption keys. For example Rivest teaches an asymmetric encryption/decryption method, using RSA technique that implements public/private key encryption/decryption methods [see for example, abstract and column 6, lines 21-37]. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the teachings of Rivest within the system of Sprague-Everhart in order to have different keys for encryption and decryption of information.

13. Claim 57-63, 78-79 and 81-82, 116, 164-166 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sprague et al. US Patent 5,247,575 in view of Everhart et al. US Patent 4,578,531 (hereinafter Everhart) as applied above and further in view of Faber US Patent 4,891,838.

14. As per claims 57-63, 78-79 and 81-82, 116, 164-166 Sprague teaches encrypting information resources, such as news magazines, newspaper reports, see for example column 9, lines 30-32, column 14, lines 30-49, column 21, lines 49-57 and column 23, lines 19-45), decrypting the information resources, see for example column 13, lines 37-41, column 6, lines 58-63, column 15, lines 22-47 and column 16, lines 24-37), further teaches encryption and decryption key are a symmetric key [see for example, column 15, lines 23-47]. Sprague is silent on the system comprising verifying an identity of a party sending the electronic content. However it is well known to verify an identity of a sender/receiver of information using a password authentication method. For example, Faber teaches a password authentication method to authenticate an operator of a computer terminal [see for example abstract]. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the

password authentication method of Faber within the system of Sprague-Everhart because the modification further enhances the security of the system.

15. Claim 54-56, 83-85, 96, 115 and 177-178 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sprague et al. US Patent 5,247,575 in view of Everhart et al. US Patent 4,578,531 (hereinafter Everhart) as applied above and further in view of Okamoto et al. US Patent 4,625,076.

16. As per claims 54-56, 96, 115, 83-85 and 177-178 Sprague teaches encrypting information resources, such as news magazines, newspaper reports, see for example column 9, lines 30-32, column 14, lines 30-49, column 21, lines 49-57 and column 23, lines 19-45), decrypting the information resources, see for example column 13, lines 37-41, column 6, lines 58-63, column 15, lines 22-47 and column 16, lines 24-37), further teaches encryption and decryption key are a symmetric key [see for example, column 15, lines 23-47]. Sprague is silent on the system comprising integrity checking using hash value. Okamoto teaches a signed document transmission system, including integrity checking using hash value [column 8, lines 15-41]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the integrity checking method using hashing taught by Okamoto within the system of Sprague-Everhart, in order to authenticate integrity of transmitted information.

Response to Arguments

17. Applicant's arguments filed October 07, 2005 have been fully considered but they are not persuasive. Applicant argues that the art on record fails to teach using a symmetric key for encryption/decryption of an electronic book as recited in the amended

claims 1 and 47. Applicant further argues that the art on record fails to teach an electronic book viewer comprising a processor and a transmitter, wherein the encryption information includes information that allows encryption and decryption of the electronic book and encryption and decryption of keys. Examiner disagrees.

18. Examiner would point out that Sprague teaches encryption and decryption key are a symmetric key, further including generating the key encrypting the electronic book with the key, transmitting the encrypted electronic book to a receiver and decrypting the electronic book using the same key [see for example, column 15, lines 23-47], further including encrypting the encryption key [see for example, column 11, lines 9-26], and further including encrypting the electronic book using a DES method [see for example, column 14, lines 42-48]. Sprague further teaches transmitting book data to multiple users [see figure 1]. Sprague teaches encrypting information resources, such as news magazines, newspaper reports, see for example column 9, lines 30-32, column 14, lines 30-49, column 21, lines 49-57 and column 23, lines 19-45), decrypting the information resources, see for example column 13, lines 37-41, column 6, lines 58-63, column 15, lines 22-47 and column 16, lines 24-37), further teaches encryption and decryption key are a symmetric key [see for example, column 15, lines 23-47]. Sprague is silent on distributing the encryption/decryption key from a third party distribution system. Everhart teaches key distribution system wherein a central key distribution center distributes encryption/decryption keys to data sending and receiving sides [see for example abstract and column 4, lines 1-29]. Examiner asserts that the art on record teaches the claimed limitations and therefore the rejection is respectfully maintained.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beemnet Dada

December 26, 2005